

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF WEST VIRGINIA
Wheeling**

DIANA MEY,

Plaintiff,

v.

CIVIL ACTION NO. 5:22-CV-266
Judge Bailey

**THE BALTIMORE LIFE INSURANCE
COMPANY,**

Defendant.

ORDER

Pending before this Court is Plaintiff's Motion to Amend Complaint [Doc. 29], filed October 16, 2023. Therein, plaintiff seeks to amend her complaint to: (1) convert this case into a class action case and (2) add United Life Services and Erika Jones as defendants in this matter.

Under Federal Rule of Civil Procedure 15(a)(1), a party may amend its pleading once as a matter of course within (A) 21 days of serving it, or (B) if the pleading is one to which a responsive pleading is required, 21 days after service of a responsive pleading or 21 days after service of a motion under Rule 12(b), (e), or (f), whichever is earlier. When the 21 day period has expired, FRCP 15(a)(2) allows a party to amend its pleading with leave of the court, which the rule states should be freely given when justice so requires.

In consideration of the Motion, this Court finds the requested relief to be appropriate pursuant to Federal Rule of Civil Procedure 15(a)(2). Accordingly, plaintiff's Motion [Doc. 29] is **GRANTED**. Plaintiff is **DIRECTED TO FILE** her Amended Complaint [Doc. 29-1]. Further, the parties are hereby **DIRECTED** to file a new 26(f) report, with the

Scheduling Order Checklist (see attached), within **fourteen (14) days** of the entry of this Order.

It is so **ORDERED**.

The Clerk is directed to transmit copies of this Order to all counsel of record herein.

DATED: October 31, 2023.



JOHN PRESTON BAILEY
UNITED STATES DISTRICT JUDGE

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF WEST VIRGINIA

Plaintiff(s),

v.

Civil Action No. _____

Defendant(s).

SCHEDULING ORDER CHECKLIST

ATTORNEYS

1. INTERMEDIATE PRETRIAL CONFERENCE

2. MEDIATION Before -

3. JOINDER AND AMENDMENTS

4. EXPERT DISCLOSURE

a. With Burden

b. Without Burden

5. EXAMINATION/INSPECTIONS

6. DISCOVERY COMPLETION

7. DISPOSITIVE MOTIONS

_____ Responses

_____ Replies

8. PRETRIAL DISCLOSURES, FED R. CIV PRO 26(a) 3

a. Objections

9. JURY INSTRUCTIONS, VOIR DIRE and VERDICT FORMS

a. Objections

10. MOTIONS IN LIMINE

a. Objections

11. BIOGRAPHICAL SKETCHES

12. JOINT FINAL PRETRIAL CONFERENCE ORDER

13. FINAL PRETRIAL CONFERENCE

14. Trial

(If non-jury trial, Proposed Findings of Fact
and Conclusions of Law are to be filed with Court
and opposing counsel _____)